



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.1313 of 2022

Paramasivam

... Petitioner

Vs.

1.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents

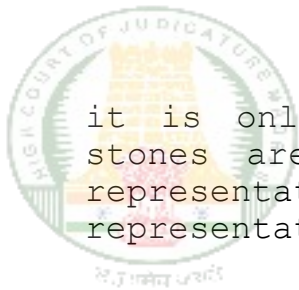
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take necessary steps to measure the land and fix the four boundaries bearing S.F.Nos.202/32 to an extent of 256 square feet and 202/35 to an extent of 217 square feet situated at Kamalapuram, Vilathikulam Taluk, Thoothukudi District belonging to the petitioner, by considering the petitioner's representation dated 08.12.2021 within a stipulated time in accordance with law.

For Petitioner	:	Mr.M.Prabhu
For Respondents	:	Mr.N.Satheesh Kumar, Additional Government Pleader.

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction against the respondents / the Tahsildar, Vilathikulam Taluk, Thoothukudi District and the Taluk Surveyor, Vilathikulam Taluk, Thoothukudi District, to measure the land and to fix the four boundaries in S.F.No.202/32 measuring, 256 square feet and in S.F.No.202/35, measuring 217 square feet at Kamalapuram, Vilathikulam Taluk, Thoothukudi District.

2. In the affidavit filed in support of the Writ Petition, the petitioner had stated that the aforementioned lands originally belonged to his father, Senbagaperumal. Subsequently, on 14.03.2019, the father had executed a gift settlement deed in favour of the petitioner herein. The petitioner claims to be in possession. Since there were disputes with the adjacent land owner,



it is only imperative that the lands are measured and boundary stones are fixed. He had paid necessary charges by giving a representation on 12.11.2021 and had also given a further representation on 08.12.2021.

3. Heard Mr.M.Prabhu, learned counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader, who takes notice on behalf of the respondents.

4. A Mandamus is issued to the first respondent to, with the assistance of the second respondent, issue notice to the petitioner and thereafter, examine the documents of the petitioner, particularly the gift settlement deed and thereafter, proceed to measure the property. If there are objections from the adjacent land owners, notices may also be issued to them and objections should also be heard and if the title of the petitioner is clear, proceed to do the requirements sought in the Writ Petition. At any rate, the entire exercise should be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Tahsildar,
Vilathikulam Taluk, Thoothukudi District.

2.The Taluk Surveyor,
Vilathikulam Taluk, Thoothukudi District.

+1 CC to M/s.M.PRABHU, Advocate (SR-2609[F] dated 27/01/2022)

+1 CC to M/s.SPL.GP (SR-2798[F] dated 28/01/2022)

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